

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Serial Number:	Filed:	First Inventor:	Attorney Docket:
10/501,315	07-13-2004	B. To	105SR-019
Title: Light Fitting			
Examiner: n/a		Art Unit: n/a	

Mail Stop PCT  
Comm'r for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

16 FEB 2006

PETITION TO REVIVE

Legal Staff  
International Division

Dear Sir:

In connection with the U.S. national phase filing of PCT/GB03/00290, a Notification of Abandonment having been mailed on 3 January 2006, Applicant hereby petitions for revival of the application under §1.137(b).

The subject application became abandoned for failure to the respond to the Notification of Missing Requirements regarding submission of the oath or declaration under §1.495(c)(1)(ii).

A check for the small entity fee under §1.17(m) of \$750 is attached. If the check is missing or deficient, or there has been an overpayment, please debit or credit as necessary the undersigned's Deposit Acct. No. 502144.

The reply, in the form of a declaration by the inventor, is submitted as Exhibit 4 attached to Mr. Whitaker's declaration. As explained therein, formal papers (such as the assignment previously recorded in the USPTO and attached as Ex. 1 to the declaration) including the power of attorney were prepared well in advance of the U.S. national stage, but the form had been mislaid and was

uncovered only after extensive searching. Meanwhile, Mr. Whitaker had made various attempts to contact the inventors and have a declaration executed, but to no avail. including sending registered mail (via Royal Mail) near the end of the extension period for responding to the Missing Requirements notice.

Accordingly, the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

The power of attorney on the declaration attached as Ex. 4 to Mr. Whitaker's declaration is to a different firm. A revocation and new power of attorney (PTO/SB/82) will be filed forthwith.

A terminal disclaimer is not required.

Respectfully submitted,


**CERTIFICATE OF MAILING**  
Under 37 C.F.R. §1.10

I hereby certify that this paper and those identified above, including any attached thereto, was deposited with the U.S. Postal Service as "Express Mail Post Office to Addressee" with the label number identified below and on the date identified below, and was addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: 9 February 2006

Express Mail Label No. EV 698820468 US

Name: Bradley N. Ruben

  
Signature

  
Bradley N. Ruben, Reg. No. 32,058

Bradley N. Ruben, PC  
463 First St., Suite 5A  
Hoboken, NJ 07030-1859

201-239-0707 (fax -0734)

mail@rubenpatent.com

February 9, 2006

IN THE MATTER OF U.S. Patent  
Application No. 10/501,315 in the  
name of Ban Chin TO and assigned  
to Aurora Limited.

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WITNESS STATEMENT OF IAIN MARK WHITAKER

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1. I, Iain Mark WHITAKER, of Marks & Clerk, 45 Grosvenor Road, St Albans, Hertfordshire, AL1 3AW, United Kingdom, am a Chartered Patent Agent and European Patent Attorney and act on behalf of Aurora Limited, of 16 Alban Park, Hatfield Road, St Albans, Hertfordshire, AL4 0JJ, United Kingdom, the proprietor of U.S. Patent Application No: 10/501,315.

2. Aurora Limited is the Assignee of the inventor, Ban Chin TO of Lung Cheng Hardware Plant, Hsianghsi Administration Area, Liaopu Town, Tungkuan, Kuangtung Province, China. The corresponding Assignment has been recorded against this Application and a copy of the Assignment recordal document is attached as Exhibit 1.

3. In response to the requirement to file a Declaration & Power of Attorney form in favour of the present Attorney executed by the inventor on this U.S. Patent Application, we and the Applicant have attempted repeatedly to have the Declaration & Power of Attorney form signed by the inventor. The specification with the Declaration & Power of Attorney form attached has been sent by us to the inventor repeatedly after the Applicant had originally provided the specification and form to the inventors. Copies of my chase-up letters are attached as Exhibit 2. My letter of 7 October 2005 was sent by registered mail and I attach as Exhibit 3 a copy of the despatch receipt. Indeed, the inventor had originally signed a Declaration and Power of Attorney form for this Application well ahead of entry into the National phase, at the same time as signing the Assignment. That form was made out in favour of the law firm of Galgano & Burke and not Bradley N. Ruben PC and was mislaid and not to hand when the National phase was entered. That form has now been found after extensive searching and is attached as Exhibit 4. Although that form is not in favour of the present Attorney and thus is not in itself a Power of Attorney for the present Attorney, it is a valid Declaration.

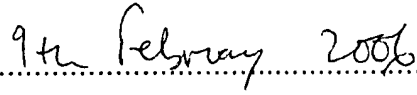
4. I hereby petition that this Application be accepted and progressed without any further signing by the inventor of a Declaration & Power of Attorney form since after repeated and diligent effort on our part to have the inventor sign the form in favour of the present law firm, Bradley N. Ruben PC, he had not done so.

STATEMENT OF TRUTH

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed ..... 

Iain Mark WHITAKER

Dated: ..... 

IN THE MATTER OF U.S. Patent  
Application No. 10/501,315 in the name of  
Ban Chin TO and assigned to Aurora  
Limited.

EXHIBIT 1

Attached hereto is Exhibit 1 referred to in paragraph 2 of the Witness Statement of Iain  
Mark Whitaker made on 9th February 2006.

*Iain Whitaker*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 13, 2005

PTAS



\*102943987A\*

BRADLEY N. RUBEN  
463 FIRST ST.  
SUITE 5A  
HOBOKEN, NJ 07030-1859

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 02/14/2005

REEL/FRAME: 016257/0719  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TO, BAN CHIN

DOC DATE: 11/26/2001

ASSIGNEE:

AURORA LIMITED  
ALBAN PARK, HATFIELD ROAD  
UNIT B1, THE COURTYARD  
ST. ALBANS, HERTS, UNITED KINGDOM

AL4 OLA

SERIAL NUMBER: 10501315  
PATENT NUMBER:  
TITLE: LIGHT FITTING

FILING DATE:  
ISSUE DATE:

IN THE MATTER OF U.S. Patent  
Application No. 10/501,315 in the name of  
Ban Chin TO and assigned to Aurora  
Limited.

EXHIBIT 2

Attached hereto is Exhibit 2 referred to in paragraph 3 of the Witness Statement of Iain  
Mark Whitaker made on 9th February 2006.



Mr Ching Chung Shih  
Lung Cheng Hardware Plant  
Hsianghsi Administration Area  
Liaopu Townj  
Tungkuan  
Kuangtung Province  
China

Direct ☎: iwhitaker@marks-clerk.com  
Direct ☎: +44 (0)1727 898172  
0845 1668 148 (l.o.-call)

**BY INTERNATIONAL SIGNED FOR**

7 October 2005

Our ref: PA 4698/4699 PCT/US

Dear Mr Shih

**U.S. National phase Patent Application No: 10/501,315**  
**Light Fitting**  
**Corresponding to International Patent Application**  
**No: PCT/GB03/000290**  
**In the name of Aurora Limited**

Further to my previous letters, we act as Patent Attorneys for Aurora Limited and have filed a U.S. Patent Application on their behalf in respect of which Ban Chin To was identified as designer. The rights have already been assigned to Aurora Limited and we now need the designer to simply sign a Power form in favour of the U.S. Attorneys as a formal requirement. A copy of the specification of this U.S. Patent Application is also attached.

Please could you have Ban Chin To sign and date his Power of Attorney form and fax it back to me within the next 2-3 days.

Yours faithfully  
MARKS & CLERK

Iain M. Whitaker  
jw /Enc



MODE = MEMORY TRANSMISSION

START=26-SEP 09:58

END=26-SEP 10:01

FILE NO.=546

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-MARKS & CLERK - ST ALBANS-

\*\*\*\*\*-MARKS AND CLERK -\*\*\*\*\*

## MARKS & CLERK

*Patent and Trade Mark Attorneys*

*incorporating Sommerville & Rushton*

Mr Ching Chung Shih  
Lung Cheng Hardware Plant  
Hsianghsia Administration Area  
Liaopu Townj  
Tungkuan  
Kuangtung Province  
China

**BY FAX (00 86 769 3306050)**

23 September 2005

Our ref: PA 4698/4699 PCT/US


Dear Mr Shih

U.S. National phase Patent Application No: 10/501,315  
Light Fitting  
Corresponding to International Patent Application  
No: PCT/GB03/000290  
In the name of Aurora Limited

We act as Patent Attorneys for Aurora Limited and have filed a U.S. Patent Application on their behalf in respect of which Ban Chin To was identified as designer. The rights have already been assigned to Aurora Limited and we now need the designer to simply sign a Power form in favour of the U.S. Attorneys as a formal requirement. A copy of the Assignment from the designer to Aurora Limited is attached by way of confirmation of the earlier assignment.

Please could you have Ban Chin To sign and date his Power of Attorney form and fax it back to me within the next 2-3 days.

Yours faithfully  
MARKS & CLERK

  
Iain M. Whitaker  
jw /Enc

01727 868868- \*\*\*\*\*  
European Patent Attorneys  
Chartered Patent Attorneys  
European Trade Mark Attorneys  
Registered Trade Mark Attorneys

St Albans Office  
45 Grosvenor Road  
St Albans  
Hertfordshire AL1 3AW  
United Kingdom

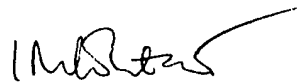
Tel: +44 (0)1727 854215  
Fax: +44 (0)1727 868868  
staibans@marks-clerk.com  
www.marks-clerk.com

Direct E: iwhitaker@marks-clerk.com  
Direct F: +44 (0)1727 898172  
0846 1683 148 (Lo-call)

IN THE MATTER OF U.S. Patent  
Application No. 10/501,315 in the name of  
Ban Chin TO and assigned to Aurora  
Limited.

EXHIBIT 3

Attached hereto is Exhibit 3 referred to in paragraph 3 of the Witness Statement of Iain  
Mark Whitaker made on 9th February 2006.





**Royal Mail copy**

**Your company name and address**

MARKS & CERRY

65 GROSVENOR ROAD, ST ALBANS  
HERTS AL1 3AW  
Postcode

Postcode


AL13AW

Reference	Delivery address including full Postcode	Reference	Comp. level £	CL	Barcode
RI 5876 2210 1GB	Ms Tina Hwang, Guangdong Sun Young Electrical & Lighting Co. 623 West Road Jiupu, Jiupu Town Bayun District, Guangzhou City Guangdong Province, China	RI 5876 2210 1GB	<input type="checkbox"/> 100 <input type="checkbox"/> 200 <input type="checkbox"/> 300 <input type="checkbox"/> 400 <input type="checkbox"/> 500 <input type="checkbox"/> 600 <input type="checkbox"/> 700 <input type="checkbox"/> 800 <input type="checkbox"/> 900	CL level £	RI 5876 2210 1GB
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IN THE MATTER OF U.S. Patent  
Application No. 10/501,315 in the name of  
Ban Chin TO and assigned to Aurora  
Limited.

EXHIBIT 4

Attached hereto is Exhibit 4 referred to in paragraph 3 of the Witness Statement of Iain  
Mark Whitaker made on 9th February 2006.

A handwritten signature in black ink, appearing to read "Iain Whitaker", with a long horizontal stroke extending to the right.

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